

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAULINE HORVATH,

Plaintiff,

v.

DR. DONALD C. WINTER,

Defendant.

No. C 07-04952 JSW

**ORDER MODIFYING BRIEFING
SCHEDULE**

On December 26, 2007, this Court issued an Order setting a briefing schedule on Defendant's motion to dismiss, which has been noticed for hearing on February 15, 2008. Plaintiff, Pauline Horvath, is appearing pro se in this action and due to an oversight, it does not appear that Ms. Horvath was served with a copy of that Order.

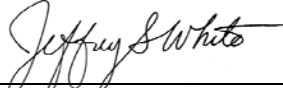
Accordingly, the Court *sua sponte* modifies the briefing schedule to ensure that Ms. Horvath has notice of the briefing schedule set by the Court. Plaintiff is HEREBY ORDERED to file and serve her opposition to Defendant's motion on January 23, 2008. Defendant shall file and serve his reply on January 30, 2008.

In addition, the Court notes that in its motion to dismiss, Defendant contends that Ms. Horvath did not comply with an Order issued by Judge Patel on March 26, 1999, requiring her "seek leave of this court before she files any additional actions in this District involving any claims related to her employment with the United States Navy or against defendant Dalton or other persons whom she has sued in prior actions in this District." (*See Horvath v. Dalton*, 97-0088-MHP, Docket 67 (Motion to Relate Cases, Ex. C).) However, when Ms. Horvath filed the instant Complaint, she also filed a document entitled "Request for Oakland District Court Filing

1 Location, Due to Severe Disability, and Request for Leave of Court to File this Complaint.”
2 (See Docket 2.) In that motion, Ms. Horvath contends that “[t]he subject of Blacklisting has not
3 been previously filed with this Court.” (*Id.*) Thus, it appears to this Court that Ms. Horvath did
4 comply with the terms of the March 26, 1999 Order by seeking leave to file the instant
5 complaint, and the Court will consider that motion in connection with Defendant’s motion to
6 dismiss.¹

7 **IT IS SO ORDERED.**

8 Dated: January 4, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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¹ The Court notes that it has conducted a cursory review of Ms. Horvath’s complaints, orders issued, and appellate opinions rendered in the cases that the Government asserted should be related to this case. Although those earlier cases raise retaliation claims relating to Ms. Horvath’s employment with the Department of the Navy they do not specifically address the issue of blacklisting.

UNITED STATES DISTRICT COURT
FOR THE
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PAULINE HORVATH,
Plaintiff,

Case Number: CV07-04952 JSW

CERTIFICATE OF SERVICE

v.

DR. DONALD C. WINTER et al,
Defendant.

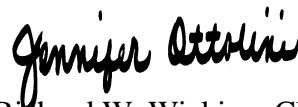
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 4, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Michael Thomas Pyle
United States Attorney's Office
450 Golden Gate Avenue
Box 36055
San Francisco, CA 94102-3495

Pauline Horvath
3544 Custer Street
3
Oakland, CA 94601

Dated: January 4, 2008



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk